

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Peakspeed, Inc.,

Civil File No. 0:20-cv-01630-JRT-BRT

Plaintiff,

**DECLARATION OF DAVID CALIGA
IN SUPPORT OF PLAINTIFF'S
OPPOSITION TO DEFENDANT'S
MOTION TO DISMISS**

v.

Timothy Emerson,

Defendant.

I, David Caliga, declare as follows:

1. I am employed by Plaintiff Peakspeed, Inc. ("Peakspeed") as a software development consultant. I submit this Declaration in support of Peakspeed's Motion in Opposition to Defendant's Motion to Dismiss. I have personal knowledge of the matters set forth in this Declaration, and if called to testify in this case I would and could competently testify as to such matters.

2. I have worked for Peakspeed since May 2020.

3. I work for CEO, Dave Eaton. Dave pays my salary.

4. He finances all of Peakspeed's expenses. He also purchased my work laptop.


5. I work remotely from my home office in Fort Worth, Texas.

6. I communicate frequently with Dave Eaton, Dave Zimmerman, and other Peakspeed employees throughout the day.

7. My understanding is that Peakspeed is based in Minnesota because that is where our CEO, Dave Eaton, lives.

I declare under penalty of perjury under the laws of the United States of America and the State of Texas that the foregoing is true and correct.

Dated: October 1, 2020

By: 
David Caliga